



## James M. Talley

Shareholder

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Jim Talley, shareholder in the Orlando office, is a member of Baker Donelson's Advocacy Group.

For more than three decades, Jim has assisted businesses and individuals in the effective and efficient resolution of a wide range of civil disputes through all available means: jury trials, non-jury trials, arbitrations, mediations, negotiations, and other alternative dispute resolution methods.

Over his years of practice, Jim has successfully represented construction industry participants including developers, general contractors, sureties, design professionals, subcontractors, material suppliers and third party inspectors in both complex and routine disputes. Jim has experience representing companies and stakeholders in corporate and partnership disputes, companies and others in disputes regarding intellectual property and confidential information, companies and employees in non-compete and other employment contract matters, real estate developers in Interstate Land Sales Act claims, non-disclosure claims, unfair trade practices allegations, claims regarding violation of condominium and homeowner association statutes, warranty issuance and compliance claims, and other disputes regarding the purchase and sale of real property, physicians in disputes regarding third party reimbursement issues, false claims actions, and internal practice disputes, attorneys and accountants in defense of professional malpractice claims, product distributors in disputes with dealers, and companies and persons in other claims arising in a business or commercial context.

Jim has learned through experience that no two cases are precisely the same. He seeks to fully understand his client's business and understand clearly his client's business goals and concerns. He seeks to craft customized dispute resolution options for each case and then work hard to promptly obtain the best "bottom line" result for his client in light of his client's specific needs and concerns.

### Representative Matters

- Successfully defeated a motion for class action certification on behalf of a developer against claims alleging undisclosed buried munitions near a large residential subdivision.
- Successfully defeated a motion for class action certification in an arbitration dispute alleging a developer's violation of the Interstate Land Sales Act.
- Successfully prosecuted a patent infringement claim on behalf of an inventor against a medical device manufacturer.
- Successfully prosecuted a claim for misuse of confidential information on behalf of a medical products manufacturer.
- Successfully defended a real estate developer against claims for soils failures.
- Successfully defended a mechanical subcontractor against claims of mechanical systems failures brought by a design builder of a school.
- Successfully defended a national general contractor against claims for defective work and delays in the construction of a high rise office building.
- Successfully represented a construction company seeking to recover funds as an additional insured under a subcontractor's policy where the underlying problem was a construction defect in a large scale condominium project which had been repaired by the condominium itself before pursuing the construction company. The construction company settled the claim and then pursued the insured of

the subcontractor under an additional insured claim. The insurer denied coverage and contended the loss was subject to the your work exclusion under the policy. Baker Donelson recovered two million dollars for the client, the maximum occurrence limit under each policy.

- Successfully defended an engineering firm in a lawsuit brought by a county regarding the allegedly defective design of renovations to a county airport. The court's final judgment found the county's experts were not credible and there were other causes for the problems with the airport.



## Professional Honors & Activities

- Member – The Florida Bar
- Ninth Judicial Circuit Grievance Committee member (2010 – 2013, Chair, 2012 – 2013)
- Member – Orange County Bar Association
- Florida Supreme Court Certified Circuit Civil Mediator (2007)
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Fellow – Litigation Counsel of America
- *Orlando, The City's Magazine*, Best Lawyers of 2009 – 2014
- *Florida Trend* Legal Elite, Commercial Litigation (2005, 2009)
- Outstanding Lawyers of America (2002)
- Who's Who in Practicing Attorneys (1990)
- American Registry of Outstanding Professionals (2010)
- Who's Who in North America
- Listed in *The Best Lawyers in America*®, Commercial Litigation (2009 – 2022)
- Listed in *The Best Lawyers in America*®, Bet-the-Company Litigation (2010 – 2022)
- Listed in *The Best Lawyers in America*®, Construction Litigation (2012 – 2022)
- Listed in *The Best Lawyers in America*®, Real Estate Litigation (2012 – 2022)
- Named by *The Best Lawyers in America*® Orlando's "Lawyer Of the Year" in Real Estate (2018)
- Named by *The Best Lawyers in America*® Orlando's "Lawyer Of the Year" Litigation - Real Estate (2014)
- America's Most Honored Professionals, American Registry (2011)
- Florida Top Attorneys, *The Wall Street Journal* (2013)
- Top Lawyers in Orlando, *Orlando Home & Leisure Magazine* (2011 – 2013)
- Orlando's Top Attorneys, *Orlando Life Magazine* (2013)



## Speaking Engagements

- "Sun, Sand & Success – Legal Compliance for Florida Businesses" (October 2016)
- "Preparing Expert Witnesses for Testimony in a Construction Dispute," Construction CPM Conference (2011)



## Education

- Vanderbilt University School of Law, J.D., 1981
- Wabash College, A.B., 1978, cum laude



## Admissions

- Florida, 1981